



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Yoshihiko MASAKI et al. Confirmation No.: 8473  
Appl. No.: 10/508,779 Examiner: STITZEL, David  
Filing Date: September 23, 2004 Art Unit: 1616  
Title: COMPOSITION AND METHOD FOR ORGAN PRESERVATION

**REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

It is respectfully requested that a corrected Filing Receipt be issued in connection with the captioned application in order to correct the title of the above-captioned matter as follows:

Please change "Composition for storing organ and method of storing organ" to —Composition and Method for Organ Preservation--.

Applicants submit herewith a marked up copy of the official Filing Receipt reflecting the title correction, and copies of the Application Data Sheet, the first page of the specification, and the Declaration and Power of Attorney as filed on September 23, 2004, all of which reflect the correct title. There are no fees believed due in connection with this filing; however, in the event this is not the case, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 08-1641.

Serial No. 10/508,779  
Yoshihiko MASAKI et al.

Attorney Docket No. 40072-0011.US  
Heller Ehrman LLP

Kindly forward the corrected Filing Receipt to the undersigned attorney of record.

Respectfully submitted,

Date: February 28, 2007

HELLER EHRMAN LLP  
1717 Rhode Island Avenue, NW  
Washington, DC 20036  
Telephone: (202) 912-2000  
Facsimile: (202) 912-2020

By Patricia D. Granados

Patricia D. Granados  
Attorney for Applicant  
Registration No. 33,683

Customer No. 26633



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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/508,779	09/23/2004	1616	920	40072-0011	6	17	2

CONFIRMATION NO. 8473

26633  
 HELLER EHRMAN WHITE & MCAULIFFE LLP  
 1717 RHODE ISLAND AVE, NW  
 WASHINGTON, DC 20036-3001

## FILING RECEIPT



\*OC000000015761589\*

Date Mailed: 04/19/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Yoshihiko Masaki, Sagamihara-Shi, JAPAN;  
 Kazunari Yoshida, Sagamihara-Shi, JAPAN;  
 Tadao Endo, Sagamihara-Shi, JAPAN;  
 Hirofumi Nakamura, Sakado-Shi, JAPAN;  
 Yasuhito Tashiro, Kawasaki-Shi, JAPAN;

**Power of Attorney:** The patent practitioners associated with Customer Number 26633.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP03/04024 03/28/2003

## Foreign Applications

JAPAN 2002-91830 03/28/2002

**Projected Publication Date:** 07/28/2005

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

*and method for*  
~~Composition for storing organ and method of storing organ~~ *preservation*

**Preliminary Class**

**424**

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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## **Application Data Sheet**

### **Application Information**

Application number::	Unassigned
Filing Date::	September 23, 2004
Application Type::	Regular
Subject Matter::	Utility
Suggested classification::	
Suggested Group Art Unit::	
CD-ROM or CD-R?::	No
Number of CD disks::	
Number of copies of CDs::	
Sequence submission?::	No
Computer Readable Form (CRF)?::	
Number of copies of CRF::	
Title::	Composition and Method for Organ Preservation
Attorney Docket Number::	40072-0011
Request for Early Publication?::	No
Request for Non-Publication?::	No
Suggested Drawing Figure::	
Total Drawing Sheets::	6
Small Entity?::	No
Latin name::	
Variety denomination name::	
Petition included?::	No
Petition Type::	
Licensed US Govt. Agency::	
Contractor Grant Numbers::	
Secrecy Order in Parent Appl.?::	No

## **Applicant Information**

Applicant Authority Type::	Inventor
Primary Citizenship Country::	Japan
Status::	Full Capacity
Given Name::	Yoshihiko
Middle Name::	
Family Name::	Masaki
Name Suffix::	
City of Residence::	Kanagawa-Ken
State or Province of Residence::	
Country of Residence::	Japan
Street of mailing address::	c/o Kitasato University School of Medicine 15-1, Kitasato 1-Chome, Sagamihara-shi
City of mailing address::	Kanagawa-Ken
State or Province of mailing address::	
Country of mailing address::	Japan
Postal or Zip Code of mailing address::	

## Applicant Information

Applicant Authority Type::	Inventor
Primary Citizenship Country::	Japan
Status::	Full Capacity
Given Name::	Kazunari
Middle Name::	
Family Name::	Yoshida
Name Suffix::	
City of Residence::	Kanagawa-Ken
State or Province of Residence::	
Country of Residence::	Japan
Street of mailing address::	c/o Kitasato University School of Medicine 15-1, Kitasato 1-Chome, Sagamihara-shi
City of mailing address::	Kanagawa-Ken
State or Province of mailing address::	
Country of mailing address::	Japan
Postal or Zip Code of mailing address::	

## Applicant Information

Applicant Authority Type::	Inventor
Primary Citizenship Country::	Japan
Status::	Full Capacity
Given Name::	Tadao
Middle Name::	
Family Name::	Endo
Name Suffix::	
City of Residence::	Kanagawa-Ken
State or Province of Residence::	
Country of Residence::	Japan
Street of mailing address::	c/o Kitasato University School of Medicine 15-1, Kitasato 1-Chome, Sagamihara-shi
City of mailing address::	Kanagawa-Ken
State or Province of mailing address::	
Country of mailing address::	Japan
Postal or Zip Code of mailing address::	



## Applicant Information

Applicant Authority Type::	Inventor
Primary Citizenship Country::	Japan
Status::	Full Capacity
Given Name::	Hirofumi
Middle Name::	
Family Name::	Nakamura
Name Suffix::	
City of Residence::	Saitama-Ken
State or Province of Residence::	
Country of Residence::	Japan
Street of mailing address::	c/o Health & Bioscience Laboratories, Meiji Seika Kaisha, Ltd., 3-1, Chiyoda 5-Chome, Sakado-Shi
City of mailing address::	Saitama-Ken
State or Province of mailing address::	
Country of mailing address::	Japan
Postal or Zip Code of mailing address::	

## Applicant Information

Applicant Authority Type::	Inventor
Primary Citizenship Country::	Japan
Status::	Full Capacity
Given Name::	Yasuhito
Middle Name::	
Family Name::	Tashiro
Name Suffix::	
City of Residence::	Kanagawa-Ken
State or Province of Residence::	
Country of Residence::	Japan
Street of mailing address::	c/o Meiji Seika Kaisha, Ltd., Solid Square Bldg., 580, Horikawa-Cho, Saiwai-Ku, Kawasaki-Shi
City of mailing address::	Kanagawa-Ken
State or Province of mailing address::	
Country of mailing address::	Japan
Postal or Zip Code of mailing address::	

## Correspondence Information

Correspondence Customer Number:: 26633  
Name:: Heller Ehrman White & McAuliffe  
Street of mailing address:: 1666 K Street, N.W.  
Suite 300  
City of mailing address:: Washington  
State or Province of mailing address:: D.C.  
Country of mailing address:: U.S.  
Postal or Zip Code of mailing address:: 20006  
Phone number:: 202-912-2000  
  
Fax Number: 202-912-2020  
  
Email address:: jisacson@hewm.com

## Representative Information

Representative Customer Number::	26633	
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- OR -

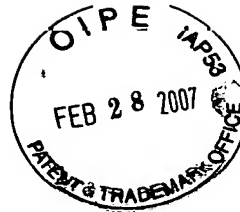
Representative Designation::	Registration Number::	Representative Name::

## Foreign Priority Information

Country::	Application number::	Filing Date::	Priority Claimed::
Japan	PCT/JP03/04024	March 28, 2003	Yes
Japan	2002-91830	March 28, 2002	Yes

## Assignee Information

Assignee name::	Meiji Seika Kaisha, Ltd.
Street of mailing address::	4-16, Kyobashi 2-Chome, Chuo-Ku
City of mailing address::	Tokyo-To
State or Province of mailing address::	
Country of mailing address::	Japan
Postal or Zip Code of mailing address::	



## COMPOSITION AND METHOD FOR ORGAN PRESERVATION

### [BACKGROUND OF THE INVENTION]

#### Field of the Invention

5           The present invention relates to a composition for organ preservation comprising an inulin type fructan and a method for preserving an organ using the same.

#### Related Art

10           Organ transplantation can be adopted as last therapy in the case where commonly used therapy cannot be effectively carried out without difficulties because of severe organ diseases such as end-stage organ failure.

          For example, in Japan, "The Law on Organ Transplantation (the so-called the Organ Transplant Law)" was  
15           enforced on October, 1997, and, in addition to conventionally approved organ transplantation from a living donor (particularly liver transplantation from a living donor), organ transplantation from a brain death donor has become legally possible. On the  
20           other hand, in Europe and United States, an organ donation system was already established at least 30 years ago, and up to now, there are not less than 40,000 cases for heart transplant and several hundreds of thousands of cases for kidney transplant. In Europe and United States, medical  
25           transplantation has become ubiquitous in society as a form of medical treatment.

          The reason why transplantation therapy has become considered as one of safe therapies is that necessary environment is being in place, that is, for example, transplants can be satisfactorily secured, organ preservation techniques  
30           have been improved, transplantation techniques have been improved, and the control of rejection is possible. What is important in organ transplantation is not only to successfully enucleate an organ from a donor (an organ donor) and to successfully transplant the organ into a recipient (a donor  
35           recipient), but also to preserve the organ harvested from the donor in a good state. In general, when blood flow in organs in

Attorney's Ref. No.:

**Declaration and Power of Attorney For Patent Application**

特許出願宣言書及び委任状

**Japanese Language Declaration**

日本語宣言書

私は、以下に記名された発明者として、ここに下記の通り宣言する:

私の住所、郵便の宛先そして国籍は、私の氏名の後に記載された通りである。

下記の名称の発明について特許請求範囲に記載され、且つ特許が求められている発明主題に関して、私が最初、最先且つ唯一の発明者である（唯一の氏名が記載されている場合）か、或いは最初、最先且つ共同発明者である（複数の氏名が記載されている場合）と信じている。

上記発明の明細書はここに添付されているが、下記の欄がチェックされている場合は、この限りでない:

☐ の日に出願され、

この出願の米国出願番号または PCT 出願番号は、

であり、且つ、

の日に訂正された出願（該当する場合）

私は、上記の補正書によって補正された、特許請求範囲を含む上記明細書を検討し、且つ内容を理解していることをここに表明する。

私は、連邦規則法典第 37 編規則 1.56 に定義されている、特許性について重要な情報を開示する義務があることを認める。

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**"COMPOSITION AND METHOD FOR ORGAN PRESERVATION"**

the specification of which is attached hereto unless the following box is checked:

☒ was filed on 28/March/2003  
as United States Application Number or  
PCT International Application Number  
PCT/JP03/04024 and was amended on  
(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

**Burden Hour Statement:** This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Washington, DC 20231



**Japanese Language Declaration**

(日本語宣言書)

私は、ここに、以下に記載した外国での特許出願または発明者証の出願、或いは米国以外の少なくとも一国を指定している米国法典第35編第365条(a)によるPCT国際出願について、同第119条(a)-(d)項又は第365条(b)項に基づいて優先権を主張するとともに、優先権を主張する本出願の出願日より前の出願日を有する外国での特許出願または発明者証の出願、或いはPCT国際出願については、いかなる出願も、下記の枠内をチェックすることにより示した。

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

**Prior Foreign Application(s)**

外国での先行出願

Priority Not Claimed

優先権主張なし

<u>2002-91830</u> (Number) (番号)	<u>Japan</u> (Country) (国名)	<u>28/March/2002</u> (Day/Month/Year Filed) (出願年月日)	<input type="checkbox"/>
<u>                    </u> (Number) (番号)	<u>Japan</u> (Country) (国名)	<u>                    </u> (Day/Month/Year Filed) (出願年月日)	<input type="checkbox"/>

私は、ここに、下記のいかなる米国仮特許出願についても、その米国法典第35編第119条(e)項の利益を主張する。

I hereby claim the benefit under Title 35, United States Code, Section 119 (e) of any United States provisional application(s) listed below.

<u>                    </u> (Application No.) (出願番号)	<u>                    </u> (Filing Date) (出願日)	<u>                    </u> (Application No.) (出願番号)	<u>                    </u> (Filing Date) (出願日)
--	---	--	---

私は、ここに、下記のいかなる米国出願についても、その米国法典第35編第120条に基づく利益を主張し、又米国を指定するいかなるPCT国際出願についても、その同第365条(c)に基づく利益を主張する。また、本出願の各特許請求の範囲の主題が米国法典第35編第112条第1段に規定された態様で、先行する米国特許出願又はPCT国際出願に開示されていない場合においては、その先行出願の出願日と本国内出願日またはPCT国際出願日との間の期間中に入手された情報で、連邦規則法典第37編規則1.56に定義された特許性に関わる重要な情報について開示義務があることを承認する。

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365 (c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application:

<u>                    </u> (Application No.) (出願番号)	<u>                    </u> (Filing Date) (出願日)	<u>                    </u> (Status: Patented, Pending, Abandoned) (現況: 特許許可済、係属中、放棄済)
<u>                    </u> (Application No.) (出願番号)	<u>                    </u> (Filing Date) (出願日)	<u>                    </u> (Status: Patented, Pending, Abandoned) (現況: 特許許可済、係属中、放棄済)

私は、ここに表明された私自身の知識に係わる陳述が真実であり、且つ情報と信ずることに基づく陳述が、真実であると信じられることを宣言し、さらに、故意に虚偽の陳述などを行った場合は、米国法典第18編第1001条に基づき、罰金または拘禁、若しくはその両方により処罰され、またそのような故意による虚偽の陳述は、本出願またはそれに対して発行されるいかなる特許も、その有効性に問題が生ずることを理解した上で陳述が行われたことを、ここに宣言する。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Japanese Language Declaration**

(日本語宣言書)

委任状： 私は本出願を審査する手続を行い、且つ米国特許商標庁との全ての業務を遂行するために、記名された発明者として、下記の弁護士及び/または弁理士を任命する。(氏名及び登録番号を記載すること)

Paul Booth, Reg. 40,244; Patricia D. Granados, Reg. 33,683;  
Robert M. Hansen, Reg. 43,656; John P. Isacson, Reg. 33,715;  
Ronald J. Kamis, Reg. 41,104; Johnny A. Kumar, Reg. 34,649;

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

Marvin A. Motsenbocker, Reg. 36,614;  
Colin G. Sandercock, Reg. 31,298;  
Brian Siritzky, Reg. 37,497

書類送付先:	Send Correspondence to: HELLER EHRMAN WHITE & MCAULIFFE 1666 K Street, NW, Suite 300 Washington, DC 20006 U.S.A.	
直接電話連絡先: (名前及び電話番号)	Direct Telephone Calls to: (name and telephone number) HELLER EHRMAN WHITE & MCAULIFFE (202) 912-2000	
唯一または第一発明者名	Full name of sole or first inventor Yoshihiko MASAKI	
発明者の署名	日付	Inventor's signature Date 08/13/2004 <i>Yoshihiko Masaki</i>
住所	Residence Sagamihara-Shi, Kanagawa-Ken, Japan	
国籍	Citizenship Japan	
私書箱	Post Office Address c/o Kitasato University School Of Medicine, 15-1, Kitasato 1-Chome, Sagamihara-Shi, Kanagawa-Ken, Japan	
第二共同発明者	Full name of second joint inventor, if any Kazunari YOSHIDA	
第二共同発明者の署名	日付	Second inventor's signature Date 08/13/2004 <i>K. Yoshida</i>
住所	Residence Sagamihara-Shi, Kanagawa-Ken, Japan	
国籍	Citizenship Japan	
私書箱	Post Office Address c/o Kitasato University School Of Medicine, 15-1, Kitasato 1-Chome, Sagamihara-Shi, Kanagawa-Ken, Japan	
(第三以降の共同発明者についても同様に記載し、署名をすること)		(Supply similar information and signature for third and subsequent joint inventors.)

**Japanese Language Declaration**

(日本語宣言書)

第三共同発明者		Full name of third joint inventor, if any Tadao ENDO	
第三共同発明者の署名	日付	Third inventor's signature <i>Tadao Endo</i>	Date 08/16/2004
住所	Residence Sagamihara-Shi, Japan		
国籍	Citizenship Japan		
私書箱	Post Office Address c/o Kitasato University School Of Medicine, 15-1, Kitasato 1-Chome, Sagamihara-Shi, Kanagawa-Ken, Japan		
第四共同発明者		Full name of fourth joint inventor, if any Hirofumi NAKAMURA	
第四共同発明者の署名	日付	Fourth inventor's signature <i>Hirofumi Nakamura</i>	Date August 23, 2004
住所	Residence Sakado-Shi, Saitama-Ken, Japan		
国籍	Citizenship Japan		
私書箱	Post Office Address c/o Health & Bioscience Laboratories, Meiji Seika Kaisha, Ltd., 3-1, Chiyoda 5-Chome, Sakado-Shi, Saitama-Ken, Japan		
第五共同発明者		Full name of fifth joint inventor, if any Yasuhito TASHIRO	
第五共同発明者の署名	日付	Fifth inventor's signature <i>Yasuhito Tashiro</i>	Date 8-25-04
住所	Residence Kawasaki-Shi, Kanagawa-Ken, Japan		
国籍	Citizenship Japan		
私書箱	Post Office Address c/o Meiji Seika Kaisha, Ltd., Solid Square Bldg., 580, Horikawa-Cho, Saiwai-Ku, Kawasaki-Shi, Kanagawa-Ken, Japan		
第六共同発明者		Full name of sixth joint inventor, if any	
第六共同発明者の署名	日付	Sixth inventor's signature	Date
住所	Residence Japan		
国籍	Citizenship Japan		
私書箱	Post Office Address		
(第七以降の共同発明者についても同様に記載し、署名をすること)		(Supply similar information and signature for seventh and subsequent joint inventors.)	